

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

GERALD D. BURTON,

Plaintiff(s),

vs.

VALEO CLIMATE CONTROL USA
DIVISION, et. al.,

Defendant(s).

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Case Number: 1:06CV298

District Judge Susan J. Dlott

ORDER

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Timothy S. Black filed on January 11, 2007(Doc. 35), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired February 1, 2007, hereby ADOPTS said Report and Recommendations.

Accordingly, in light of the filing of Plaintiff's amended complaint, it is ORDERED that Defendants' Motion to Dismiss is TERMINATED as MOOT. It is further ORDERED that individually named defendants Rodney Everson, James Smith, Steffon Rodgers, Dennis Clark, Kelly Dixon and Scott Dickerson are DISMISSED from this action.

IT IS SO ORDERED.

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s/Susan J. Dlott
Susan J. Dlott
United States District Judge